

West Yellowstone, MT, Yellowstone, NDB RWY 1, Amdt 4

Oak Island, NC, Cape Fear Rgnl Jetport/ Howie Franklin Fld, RNAV (GPS) RWY 5, Amdt 1B

Millville, NJ, Millville Muni, RNAV (GPS) RWY 10, Orig

Monongahela, PA, Rostraver, Takeoff Minimums and Obstacle DP, Amdt 1A

**Effective 25 AUG 2011**

Unalakleet, AK, Unalakleet, RNAV (GPS) Y RWY 33, Orig-A

Unalakleet, AK, Unalakleet, RNAV (GPS) Z RWY 33, Orig

Riverside/Rubidoux, CA, Flabob, RNAV (GPS)-A, Orig

Colorado Springs, CO, City of Colorado Springs Muni, RNAV (RNP) Z RWY 35L, Orig-A

Destin, FL, Destin-Fort Walton Beach, RNAV (GPS) RWY 14, Amdt 1

Destin, FL, Destin-Fort Walton Beach, RNAV (GPS) RWY 32, Amdt 1

Homestead, FL, Homestead General Aviation, RNAV (GPS) RWY 10, Orig

Homestead, FL, Homestead General Aviation, Takeoff Minimums and Obstacle DP, Orig

Cedartown, GA, Polk County Arpt-Cornelius Moore Field, RNAV (GPS) RWY 10, Orig

Cedartown, GA, Polk County Arpt-Cornelius Moore Field, RNAV (GPS) RWY 28, Orig

Cedartown, GA, Polk County Arpt-Cornelius Moore Field, Takeoff Minimums and Obstacle DP, Amdt 1

Cedartown, GA, Polk County Arpt-Cornelius Moore Field, VOR-A, Amdt 13

Cedartown, GA, Polk County Arpt-Cornelius Moore Field, VOR/DME RNAV OR GPS RWY 9, Amdt 2B, CANCELLED

Cedartown, GA, Polk County Arpt-Cornelius Moore Field, VOR/DME RNAV OR GPS RWY 27, Amdt 2A, CANCELLED

Macon, GA, Middle Georgia Rgnl, RNAV (GPS) RWY 13, Amdt 1

Baltimore, MD, Martin State, LOC RWY 15, Amdt 3

Baltimore, MD, Martin State, RNAV (GPS) RWY 15, Amdt 1

Great Falls, MT, Great Falls Intl, GPS RWY 21, Orig-A, CANCELLED

Great Falls, MT, Great Falls Intl, ILS OR LOC/DME RWY 3, ILS RWY 3 (SA CAT I), ILS RWY 3 (CAT II), ILS RWY 3 (CAT III), Amdt 5

Great Falls, MT, Great Falls Intl, RNAV (GPS) Y RWY 3, Amdt 3

Great Falls, MT, Great Falls Intl, RNAV (GPS) Y RWY 21, Orig

Great Falls, MT, Great Falls Intl, RNAV (RNP) Z RWY 3, Orig

Great Falls, MT, Great Falls Intl, RNAV (RNP) Z RWY 21, Orig

Maxton, NC, Laurinburg-Maxton, ILS OR LOC RWY 5, Amdt 2

Maxton, NC, Laurinburg-Maxton, RNAV (GPS) RWY 5, Amdt 1

Maxton, NC, Laurinburg-Maxton, RNAV (GPS) RWY 23, Amdt 1

Somerville, NJ, Somerset, RNAV (GPS) RWY 12, Orig-A

Fremont, OH, Sandusky County Rgnl, GPS RWY 6, Orig-B, CANCELLED

Fremont, OH, Sandusky County Rgnl, GPS RWY 24, Orig-B, CANCELLED

Fremont, OH, Sandusky County Rgnl, RNAV (GPS) RWY 6, Orig

Fremont, OH, Sandusky County Rgnl, RNAV (GPS) RWY 24, Orig

Fremont, OH, Sandusky County Rgnl, Takeoff Minimums and Obstacle DP, Orig

Fremont, OH, Sandusky County Rgnl, VOR/DME RWY 24, Amdt 1

Galion, OH, Galion Muni, Takeoff Minimums and Obstacle DP, Orig

Charleston, SC, Charleston AFB/Intl, ILS OR LOC RWY 15, ILS RWY 15 (CAT II), Amdt 23

Charleston, SC, Charleston AFB/Intl, ILS OR LOC/DME RWY 33, Amdt 8

Charleston, SC, Charleston AFB/Intl, RNAV (GPS) Y RWY 3, Amdt 2

Charleston, SC, Charleston AFB/Intl, RNAV (GPS) Y RWY 15, Amdt 3

Charleston, SC, Charleston AFB/Intl, RNAV (GPS) Y RWY 21, Amdt 2

Charleston, SC, Charleston AFB/Intl, RNAV (GPS) Y RWY 33, Amdt 3

Charleston, SC, Charleston Executive, RNAV (GPS) RWY 9, Amdt 3

Charleston, SC, Charleston Executive, RNAV (GPS) RWY 27, Amdt 2

Crosbyton, TX, Crosbyton Muni, Takeoff Minimums and Obstacle DP, Orig

Houston, TX, Lone Star Executive, ILS OR LOC RWY 14, Amdt 2C

Sulphur Springs, TX, Sulphur Springs Muni, Takeoff Minimums and Obstacle DP, Amdt 1

West Point, VA, Middle Peninsula Rgnl, RNAV (GPS) RWY 28, Orig

Snohomish, WA, Harvey Field, Takeoff Minimums and Obstacle DP, Amdt 1

La Crosse, WI, La Crosse Muni, Takeoff Minimums and Obstacle DP, Amdt 6

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2011-0473]

RIN 1625-AA00

#### Safety Zone, Pantego Creek; Belhaven, NC

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the Pantego Creek, Belhaven, NC. This action is necessary to protect the life and property of the maritime public from the hazards posed by fireworks displays. This zone is intended to restrict vessels from a portion of the Pantego Creek during the Belhaven Fourth of July Fireworks.

**DATES:** This rule is effective from 8 p.m. to 10 p.m. on July 4, 2011.

**ADDRESSES:** Documents indicated in this preamble as being available in the

docket are part of docket USCG-2011-0473 and are available online by going to <http://www.regulations.gov>, inserting USCG-2011-0473 in the "Keyword" box, and then clicking "Search." They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary rule, call or e-mail CWO3 Joseph M. Edge, Sector North Carolina Waterways Management, Coast Guard; telephone 252-247-4525, e-mail [Joseph.M.Edge@uscg.mil](mailto:Joseph.M.Edge@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because immediate action is needed to minimize potential danger to the public during the event. The necessary information regarding the date for this fireworks event was not provided to the Coast Guard with sufficient time to publish an NPRM. The potential dangers associated with a fireworks display, including accidental discharge of fireworks, dangerous projectiles and falling hot embers makes a safety zone necessary to provide for the safety of participants, spectator craft and other vessels transiting the event area. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event. The Coast Guard will issue broadcast notice to mariners to advise vessel operators of navigational restrictions. On scene Coast Guard and local law enforcement vessels will also provide actual notice to mariners.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for

making this rule effective less than 30 days after publication in the **Federal Register**. The potential dangers posed by fireworks displays conducted in close proximity to transiting vessels makes a safety zone necessary. Delaying the effective date would be contrary to the public interest, since immediate action is needed to ensure the safety of the event participants, patrol vessels, spectator craft and other vessels transiting the event area. However, the Coast Guard will provide advance notifications to users of the effected waterways via marine information broadcasts, local notice to mariners, along with sponsor event notifications using commercial radio stations and area newspapers.

### Background and Purpose

On July 4, 2011, fireworks will be launched from a point on land near the Pantego Creek to commemorate the Nation's birthday. The temporary safety zone created by this rule is necessary to ensure the safety of vessels and spectators from hazards associated with the fireworks display. Such hazards include obstructions to the waterway that may cause death, serious bodily harm, or property damage. Establishing a safety zone to control vessel movement around the location of the launch area will help ensure the safety of persons and property in the vicinity of this event and help minimize the associated risks.

### Discussion of Rule

A temporary safety zone is necessary to ensure the safety of spectators and vessels during the setup, loading, and launching of the Belhaven Fourth of July Fireworks Display. The fireworks display will occur from approximately 8:45 p.m. to 9:45 p.m. on July 4, 2011.

The safety zone will encompass all waters on the Pantego Creek within a 600 foot radius of the launch site on land at position 35°32'35" N, 076°37'46" W from 8 p.m. until 10 p.m. on July 4, 2011. All geographic coordinates are North American Datum 1983 (NAD 83). The effect of this temporary safety zone will be to restrict navigation in the regulated area during the fireworks display.

All persons and vessels shall comply with the instructions of the Coast guard Captain of the Port or the designated on scene patrol personnel. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Sector North Carolina or his designated representative. The Captain of the Port or his designated representative may be contacted via VHF Channel 16.

Notification of the temporary safety zone will be provided to the public via marine information broadcasts.

### Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

### Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the department of Homeland Security (DHS).

We conclude that this rule is not a significant regulatory action because that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone around the launch area will be relatively small and exist for only a minimal time. Thus, restrictions on vessel movement within any particular area of the Pantego Creek are expected to be minimal. Under certain conditions, moreover, vessels may still transit through the safety zone when permitted by the Captain on the Port.

### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which may be small entities: The owners and operators of vessels intending to transit or anchor in this portion of the Pantego Creek between 8:45 p.m. and 9:45 p.m. on July 4, 2011.

This safety zone will not have a significant economic impact on a

substantial number of small entities because: (i) Vessels may transit around the event zone with permission from the Coast Guard Patrol Commander; (ii) the zone is of limited size and duration; (iii) in the event a vessel deems it necessary to transit through the zone during the enforcement period, the COTP may afford the vessel the opportunity to do so upon request. The Coast Guard will give notice to the public via a Local Notice to Mariners that the regulation is in effect in order to allow mariners to make alternate plans for transiting the affected area.

### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

### Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

### Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the

aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

#### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their

regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction. This rule involves the establishment of a temporary safety zone. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

- 2. Add temporary § 165.T05-0473 to read as follows:

#### § 165.T05-0473 Safety Zone, Pantego Creek; Belhaven, NC

(a) *Definitions.* For the purposes of this section, Captain of the Port means the Commander, Sector North Carolina.

*Representative* means any Coast Guard commissioned, warrant, or petty officer who has been authorized to act on the behalf of the Captain of the Port.

(b) *Location.* The following area is a safety zone: This safety zone will encompass all waters on the Pantego Creek within a 600 foot radius of the launch site on land at position 35°32'35" N, 076°37'46" W. All geographic coordinates are North American Datum 1983 (NAD 83).

(c) *Regulations.* (1) The general regulations contained in § 165.23 of this part apply to the area described in paragraph (b) of this section.

(2) Persons or vessels requiring entry into or passage through any portion of the safety zone must first request authorization from the Captain of the Port, or a designated representative, unless the Captain of the Port previously announced via Marine Safety Radio Broadcast on VHF Marine Band Radio channel 22 (157.1 MHz) that this regulation will not be enforced in that portion of the safety zone. The Captain of the Port can be contacted at telephone number (910) 343-3882 or by radio on VHF Marine Band Radio, channels 13 and 16.

(d) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the zone by Federal, State, and local agencies.

(e) *Enforcement period.* This section will be enforced from 8 p.m. to 10 p.m. on July 4, 2011 unless cancelled earlier by the Captain of the Port.

Dated: June 7, 2011.

**A. Popiel,**

*Captain, U.S. Coast Guard, Captain of the Port North Carolina.*

[FR Doc. 2011-15972 Filed 6-24-11; 8:45 am]

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#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2011-0501]

RIN 1625-AA00

#### Safety Zone; Charleston Sharkfest Swim, Charleston Harbor, Charleston, SC

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the waters of Charleston Harbor, in Charleston, South Carolina during the Charleston Sharkfest Swim on Sunday,